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July 10, 2024

VIA EMAIL AND ECF

MEMO ENDORSED

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Carlos Omar Felix Gutierrez, No. 23-cr-00180 (KPF)

Dear Judge Failla:

We are the attorneys for Carlos Omar Felix Gutierrez. We write to request a 16-day adjournment of the status conference currently scheduled for Tuesday, July 23, 2024, at 3:30 P.M. This is the second request for an adjournment of the conference. The government joins in this request. Defense counsel received the government's corrected discovery production on Monday, June 24, 2024, and we need additional time for review. We propose the status conference be moved to a date and time convenient to the Court on or about Thursday, August 8, 2024, at 3:00 P.M. The government also applies to exclude time under the Speedy Trial Act, and Mr. Felix Gutierrez consents. A proposed order is appended to this letter motion.

Thank you for your consideration.

Respectfully submitted,

/s/ Eric R. Breslin

Eric R. Breslin

cc: All Counsel of Record (Via Email and ECF)

Application GRANTED. The conference scheduled for July 23, 2024, is hereby ADJOURNED to **August 8, 2024**, at **3:00 p.m.** The conference will be held in person, in Courtroom 618 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

It is further ORDERED that time is excluded under the Speedy Trial Act between **July 23, 2024** and **August 8, 2024**. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendant in a speedy trial because it will permit the Defendant to review discovery with counsel.

The Clerk of Court is directed to terminate the pending motion at docket entry 110.

Dated: July 10, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE